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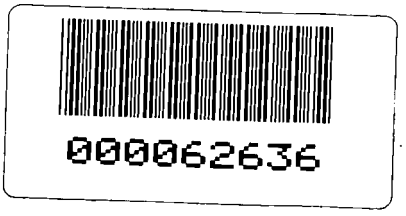
# MEMORANDUM

RMRS Rocky Mountain Remediation Services, L.L.C.
*. . . protecting the environment*




DATE: March 12, 1996

TO: Distribution

FROM: Les Johnson, Solid Waste Operations Group, Bldg. T893A, X8302

SUBJECT: CAB SITE WIDE ISSUES COMMITTEE MEETING - LFJ-115-96

I am attaching the contemporaneous notes I took during a meeting yesterday of the Rocky Flats Citizens Advisory Board Site Wide Issues Committee.

The attachments provide evidence of the range of work being undertaken at Rocky Flats which is of interest to the CAB.

The Chair is Tom Marshall of Rocky Mountain Peace Centre. DOE reps included Frazer Lockhart, as prime designee to the Committee. Gary Thompson of Kaiser-Hill and Lou Johnson of EPA were other attendees. A major intervenor from the side seats was (I think) Jim Stone, currently commending his ideas for local disposal of radioactive waste and engaged in litigation with former Rocky Flats contractors.

Attachments include
- manuscript notes of the meeting
- the agenda, as amended during the meeting
- issues for the Site Wide Issues Committee
- material on the Hazardous waste Identification Rule (HWIR)
- draft "Alternatives" section from Site Wide Environmental Impact Stateement.

Attachments:
As Stated

Distribution
Jim McAnally
John Ciucci
Andy Power
SWOG circulation
Dayna Wise

P. O. Box 464, Golden, Colorado 80408-0454

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# ROCKY FLATS CITIZENS ADVISORY BOARD

*An Advisory Board to the U.S. Department of Energy*

## MEMORANDUM

TO: CAB Site Wide Issues Committee

FROM: Erin Rogers, Outreach Coordinator

DATE: March 4, 1996

SUBJECT: **March 11th Meeting**

The next meeting of the Site Wide Issues Committee is on **Monday, March 11, 1996 7:00 - 9:00 p.m.** at Westminster City Hall, 4800 W. 92nd Avenue, lower level multi-purpose room. Call 420-7855 for directions or more information.

## MEETING AGENDA

7:00 *Welcome and Introductions*

7:05 *Discussion / Follow-up : Envirocare presentation*

7:30 *Next Steps for Committee* - where do we go from here? + Vision/RFCA
-- Prioritized issues from RFCAB Retreat + HWIR : Proposal
+ Site Wide GIS

8:55 *Set Date and Agenda for Next Meeting*

9:00 *Meeting Adjourns*

At the last meeting of this committee, a member wanted to find out how much waste from Rocky Flats has been sent to the Envirocare disposal facility. The following chart shows the quantities:

**Total Volume Shipped**

Waste Shipped to Envirocare Under the Oak Ridge Contract

| Date | Waste | Waste Shipped | Volume/Container | Total volume |
|---|---|---|---|---|
| 3/95 - | OU1 | 21 Drums | 7.4 cu ft/Drum | 155.4 cu ft |
| 5/95-7/95 | OU2 | 321 Drums | 7.4 cu ft/Drum | 2,375.4 cu ft |
| 8/95-9/95 | Saltcrete | 154 Halfcrates | 56 cu ft/Halfcrate | 8,624.0 cu ft |
| 12/95 - | Saltcrete | 150 Halfcrates | 56 cu ft/Halfcrate | 8,400.0 cu ft |
| FY95 | Total | 646 Containers | | 19,554.8 cu ft |

J. H. Templeton 2/6/96

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DRAFT

## Site Wide Issues Committee

| Issue | Project Description | Responsible Committee | Final Work Product | Anticipated Start Date | Anticipated Completion Date |
|---|---|---|---|---|---|
| Vision | Review / Follow-up on prior recommendation | Site Wide Issues serves as the integrator, with participation by Pu/SNM and E/WM | Comments / Further clarification of recommendation | March 1996 | May 1996 Board Meeting (April SW meeting) |
| RFCA | Review / Follow-up on prior recommendation | Site Wide Issues serves as the integrator, with participation by Pu/SNM and E/WM | Comments / Further clarification of recommendation | March 1996 | May 1996 Board Meeting (April SW Meeting) |
| ASAP | Provide review and comments/ recommendations | Site Wide Issues serves as the integrator, with participation by Pu/SNM and E/WM | Set of comments and applicable recommendations | June 1996 | August 1996 |
| SWEIS? (low number of votes) | Provide review and comment/recommendations | Site Wide Issues serves as the integrator, with participation by Pu/SNM and E/WM | Set of comments and applicable recommendations | June 1996 | August 1996 Board Meeting (July SW meeting) |
| Waste Management (Includes follow-up on WMPEIS and Site Treatment Plan) *Also National Dialogue follow-up | Explore ongoing waste management issues including storage and disposal both on and off-site. Continue to track WMPEIS and Site Treatment Plan as necessary | Site Wide Issues serves as integrator, with participation by National Issues and E/WM | Background papers and recommendations as applicable or determined by Committee | Some work is ongoing | As determined by Committee |
| Building D&D | Research the development of standards and plans for building D&D. | Site Wide Issues | Develop a set of recommendations | Sept 96 | Nov 96 for preliminary report |

## Hazardous Waste Identification Rule (HWIR)

**Background**

The HWIR has been proposed by EPA to amend the Resource Conservation and Recovery Act (RCRA). The main purpose of the rule is to provide a framework for identifying hazardous wastes that are and are not subject to RCRA. The concern for the CAB involves four paragraphs in the preamble of the several hundred page rule that address mixed waste.

DOE has proposed, and EPA has included provisions in the HWIR that would allow certain DOE mixed waste to be precluded from RCRA regulation. The proposal applies to three types of mixed waste:

* That which has an estimated chemical toxicity cancer risk of 10-4;
* Mixed waste debris that is immobilized through one of several methods; and
* Vitrified waste.

These provisions are in direct contradiction to the Federal Facilities Compliance Act and could effectively negate mixed waste agreements negotiated between 20 states and the DOE pursuant to that law.

The proposal would allow DOE to return to self-regulation of mixed waste. This means that DOE would regulate its own mixed waste under the provisions of the AEA. There is much uncertainty as to whether AEA requirements are adequately protective of human health and the environment, and even whether some DOE sites meet the AEA criteria for mixed wastes.

The chairs of the Waste and Federal Facilities committees of the Environmental Council of the States (ECO), on behalf of the states hosting major DOE nuclear weapons facilities, vehemently oppose the mixed waste portion of the rule. These committees have estimated that up to 96 percent of DOE's mixed waste could exit from RCRA under this proposal.

**Specific implications at RF?**

The public comment period for the HWIR closes on April 22, 1996. After initial comments are received, EPA plans to publish a supplemental proposal on HWIR mixed waste exit criteria.

The Site Wide Issues Committee recommends that the CAB send a comment letter to EPA regarding the rule, and a recommendation to DOE to withdraw this proposal.

**Recommendation**



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result in most of DOE's mixed waste being exempt from regulation under the Resource Conservation and Recovery Act (RCRA). RFCAB opposes those provisions for several reasons:

1) The provisions would effectively negate Congressional mandates in and a primary reason for enacting the Federal Facilities Compliance Act (FFCA). Specifically, the state authority over mixed waste at DOE facilities would be taken away, and the recently negotiated Site Treatment Plans could be severely curtailed.

2) The proposals were made absent any consultation or input from states and interested stakeholders. This directly contradicts DOE's promise of increased public participation and openness.

3) The provisions would result in DOE self-regulating mixed waste. Self-regulation is inconsistent with the FFCA as well as recent recommendations, which have been endorsed by Secretary O'Leary, of the Advisory Committee on External Regulation of Department of Energy Nuclear Safety. Self-regulation is the primary cause of the long-standing and widespread public distrust of DOE's operations.

4) The proposals are conceptual and lack meaningful detail that would allow informed comment.

RFCAB therefore requests that EPA withdraw the mixed waste portion of the HWIR, until DOE has entered into a dialogue with stakeholders to develop acceptable mixed waste management strategies.

Sincerely,

Linda Murakami, Chair



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## 4.0 Alternatives

Alternatives published in the Notice of Intent provided a basis for the development of alternatives to be considered in the SWEIS. Comments received during pre-scoping and scoping were considered in further defining the SWEIS alternatives. The current alternatives differ from those published in the Notice of Intent because (1) information has become available since that time which required the addition of a new alternative (Alternative 3); (2) comments provided during the scoping period were incorporated; and (3) the current alternatives provide more detail and expand upon the concepts previously presented in the Notice of Intent. The No Action Alternative (Alternative 1) includes ongoing activities; Alternatives 2, 3, and 4 contain some planned "interim actions" for which a NEPA review will have been completed prior to the issuance of the Draft SWEIS. Because these "interim actions" will have their own NEPA documentation, they will be incorporated but not individually analyzed in the SWEIS. They will be accounted for in the cumulative impacts assessment for each alternative. Activities that have not been reviewed in individual NEPA analysis and documentation prior to the issuance of the Draft SWEIS will be addressed on a programmatic level in the SWEIS.

The alternatives described below and summarized in Table 2 provide a range of bounding actions and activities, from those having the least impact to the human environment to those having the most impact to the human environment during the next ten years. A proposed action will be identified in the Draft SWEIS and may include activities from one or more of the alternatives described in this document. After all public comments have been reviewed following the release of the Draft SWEIS document, DOE will choose a course of action which will be reported in the Record of Decision.

Ultimate land use decisions for the Site are not within the scope of the SWEIS. Cleanup levels and the associated potential land uses will be evaluated in the SWEIS. However, the impacts of the actual conversion of any of the Site's acreage to an ultimate land use will not be evaluated as that is not expected to occur within the ten-year time frame for SWEIS analysis.

### 4.1 Alternative 1 (No Action Alternative)

NEPA regulations require consideration of a No Action Alternative to provide an environmental baseline against which the impacts of other alternatives can be compared. In Alternative 1, programs and operations existing in December 1994 are included; however, no major new projects, upgrades, or changes in operations or existing programs are included.

Under Alternative 1, environmental restoration activities are limited to projects already underway in 1994. Current monitoring programs would continue. There would be no facility deactivation, decontamination, or decommissioning. Economic development would not occur at the Site. Maintenance and repairs of high-priority surveillance and safety systems would continue. Wastes would continue to be generated at the Site as part of ongoing Site maintenance and environmental restoration activities, but no new treatment systems would be constructed. Solid residue containers would be vented to meet minimum safety standards. On-site storage of liquid plutonium residues would continue. Shipment of PCB-,

All currently existing buildings would be deactivated, decontaminated, decommissioned, and demolished or entombed. Ground water and surface water would be protected by downgradient passive reactive barriers and monitoring. Minimal treatment of transuranic and transuranic-mixed wastes would occur. Most transuranic and transuranic-mixed wastes would be shipped to the Waste Isolation Pilot Plant for disposal. An above-ground hardened facility would be constructed for interim storage of TRU and TRU-mixed wastes. Most low-level and low-level mixed wastes would be stored in an on-site monitored, retrievable storage cell. Wastes resulting from environmental restoration activities would be treated prior to on-site storage. Upon closure of the cell in 2003, low-level mixed waste resulting from ongoing maintenance and surveillance activities would be shipped to the Nevada Test Site for disposal.

Special nuclear materials would be thermally stabilized, as necessary, repackaged in robust containers in Buildings 371 and 707, and then stored in a newly-constructed, hardened, underground vault until long-term off-site storage or a final disposition becomes available.

## 4.4 Alternative 4

Cleanup activities that would lead towards unrestricted use of the entire Site are examined in Alternative 4.

Environmental restoration activities aimed towards achieving $10^{-6}$ cleanup standard levels for the entire Site would be implemented. However, only those activities that could be executed within the ten-year timeframe of analysis for the SWEIS are included in Alternative 4. Excavation of contaminated soils would be the prevalent remediation approach, with all environmental restoration-derived wastes shipped off-site for disposal. Limited deactivation, decontamination, and decommissioning of buildings would occur, including a generic evaluatoin of the demolition of a 100,000-square-foot plutonium building. Economic development activities would include Stage III of the National Conversion Pilot Project, including the processing of metals from other sites. Expanded privatization and commercialization activities and a reduction of surveillance and maintenance costs would occur.

In Alternative 4, it is assumed the Waste Isolation Pilot Plant and the Nevada Test Site will open and wastes can be shipped to these disposal facilities on schedule. Waste treatment systems and a waste repackaging facility would be constructed to allow all Site wastes to meet waste acceptance criteria of the receiving disposal sites. Processing of liquid residues and treatment and packaging of solid residues for off-site disposal would occur. Special nuclear materials would be thermally stabilized, as necessary, packaged in seismically robust containers, and then consolidated in Building 371.

## 4.5 Alternatives Considered and Eliminated from Detailed Review

Several alternatives were originally considered but eliminated from further consideration because they did not meet the stated purpose and need of the SWEIS. These alternatives are described below.

**Walk Away** - This alternative would include abandoning all core activities, such as vital safety systems, emissions inventory, and cleanup. Controls, such as security and fencing, to prevent trespass would be installed. This is not a reasonable alternative because if this alternative were to be implemented the Site would be in violation of the requirements of the Resource Conservation and Recovery Act, Colorado Hazardous Waste Management Act,

## Table 2. SWEIS Alternatives Table

| Alternative 1 (No Action) | Alternative 2 | Alternative 3 | Alternative 4 |
|---|---|---|---|
| **Site Support Operations**<br>• Existing 1994 levels of routine surveillance and maintenance activities and systems would be maintained.<br>• Ground water monitoring would continue.<br>• Only maintenance and repairs of high-priority surveillance and safety systems would continue. | **Site Support Operations**<br>• The Protected Area would be decreased in size over the next ten years.<br>• Surveillance and maintenance costs would be lessened by reducing core activity costs and facilities through building deactivation.<br>• Surface-water structure maintenance would occur.<br>• Ground water monitoring would continue. | **Site Support Operations**<br>• The Protected Area would be significantly decreased in size over the next ten years.<br>• Surveillance and maintenance would be necessary for the special nuclear materials storage facility and the containerized waste facility.<br>• Ground water monitoring would continue.<br>• Utilities operations would utilize commercial services.<br>• Surface-water structure maintenance would occur. | **Site Support Operations**<br>• The Protected Area would be decreased in size over the next ten years.<br>• Surveillance and maintenance costs would be reduced substantially through deactivation, decontamination, and decommissioning of buildings.<br>• Surface-water structure maintenance would occur.<br>• Ground water monitoring would continue. |
| **Waste Treatment**<br>• No new treatment systems (including planned *Site Treatment Plan* systems) would be constructed.<br>• Existing systems (i.e., waste evaporation, sewage treatment) would continue to be used.<br>• No RCRA tank closures would occur.<br>• Solid residues containers would be vented to meet minimal safety standards. | **Waste Treatment**<br>• Systems would be constructed to treat or stabilize transuranic (TRU) and TRU-mixed wastes to meet interim on-site storage criteria.<br>• *Site Treatment Plan* systems would be constructed to treat low-level mixed waste for on-site disposal.<br>• RCRA closure of process tanks would occur in plutonium buildings to be deactivated and decontaminated.<br>• Residues would be treated or stabilized for interim on-site storage. | **Waste Treatment**<br>• Treatment would occur as necessary to ensure safety for long-term interim storage or disposal of waste.<br>• Complete closure of all RCRA process tanks would occur.<br>• Solid residues would be treated and repackaged for storage and shipment off-site.<br>• A limited number of waste treatment systems would be built to treat pond sludge and residues.<br>• The solid residue treatment system would also be used to treat TRU and TRU-mixed wastes requiring treatment. | **Waste Treatment**<br>• Site wastes would be treated for off-site disposal.<br>• Treatment systems would be constructed to prepare Site wastes to allow maximum off-site disposal.<br>• All planned *Site Treatment Plan* systems would be constructed.<br>• Waste analysis labs and sampling systems needed for waste treatment would be constructed.<br>• All RCRA closures for process tanks would be completed.<br>• Residues would be treated for off-site disposal. |
| **Waste Storage**<br>• No new waste storage facilities would be constructed.<br>• Waste generation would be minimized to meet current waste storage capacities.<br>• Storage of plutonium liquid residues would continue. | **Waste Storage**<br>• Facilities would be converted or constructed to meet interim storage requirements for TRU wastes, TRU-mixed wastes, and residues.<br>• Buildings would be converted to waste storage. | **Waste Storage**<br>• Low-level, low-level mixed, and remediation wastes would be placed in an on-site, capped, monitored, and retrievable long-term storage facility.<br>• TRU and TRU-mixed waste would be containerized and stored in a newly constructed long-term interim storage facility until an off-site disposal facility becomes available. | **Waste Storage**<br>• Facilities would be converted or constructed to provide sufficient waste storage capacity to accommodate projected waste generation rates.<br>• A waste repackaging facility would be constructed to allow all Site wastes to meet waste acceptance criteria of receiving facilities.<br>• Buildings would be converted to waste storage. |

**Table 2. SWEIS Alternatives Table**

| Alternative 1 (No Action) | Alternative 2 | Alternative 3 | Alternative 4 |
|---|---|---|---|
| **Waste Transportation /Disposal**<br>• Shipment of PCB-, asbestos-contaminated, and hazardous wastes to off-site facilities would continue. | **Waste Transportation/Disposal**<br>• Off-site shipment would continue for PCB-, asbestos-contaminated, and hazardous wastes.<br>• Low-level, low-level mixed, and sewage sludge wastes would be disposed of on-site.<br>• Assumes that the Waste Isolation Pilot Plant and Nevada Test Site will not be accepting wastes. | **Waste Transportation/ Disposal**<br>• Waste inventory readily available for shipping would be sent off-site, including saltcrete and hazardous wastes.<br>• Low-level, low-level mixed, and sewage sludge wastes would be placed in a long-term retrievable storage facility on-site.<br>• Assumes that the Waste Isolation Pilot Plant will open as currently scheduled. | **Waste Transportation/ Disposal**<br>• Off-site shipment and disposal of all Site wastes would be maximized.<br>• Assumes that the Waste Isolation Pilot Plant, the Nevada Test Site, and other receiving sites will open as currently scheduled. |
| **Special Nuclear Materials**<br>• Special nuclear materials would continue to be stored in existing buildings.<br>• Minimal thermal stabilization of at-risk plutonium oxide would continue in Building 707. | **Special Nuclear Materials**<br>• Special nuclear materials would be thermally stabilized (if required) and repackaged in robust containers in Buildings 371 and 707, then consolidated and stored on an interim basis in a seismically upgraded Building 371. | **Special Nuclear Materials**<br>• Special nuclear materials would be thermally stabilized (if required) and repackaged in robust containers in Buildings 371 and 707, then stored in Building 371 for eventual consolidation and interim storage in a newly constructed, on-site hardened, underground vault. | **Special Nuclear Materials**<br>• Special nuclear materials would be thermally stabilized (if required) and repackaged in seismically robust containers in Buildings 371 and 707, then consolidated and stored on an interim basis in Building 371. |

3/11/96 Site Wide Issues Committee Meeting (CAB)

- Follow up discussion on Envirocare presentation:
  - In answer to question, Frazer Lockhart explained that Envirocare can take (LLW) and (LLMW) under a contract arranged by DOE-HQ through Oak Ridge.
  - The contract is volume limited, but not close to limit.
  - All LLW cannot go to Envirocare (transuranic limit).
  - Envirocare had told the Secretariat that it would not have capacity to take all Rocky Flats waste. FL said that waste could only go when it had been treated to meet LDR.
  - Local disposal site (? Stone Engineering) was commended (? by the owner). FL told him it was being evaluated, along with other sites, in the general context of DNFSB 94-1 follow up.
  - Gary Thompson, Kaiser-Hill, cautioned against over-zealous use of the out-of-state facility in view of likely budget constraints.
  - The Chair concluded that there was no great clamor to follow-up further. Information being obtained by the Secretariat would be disseminated.

- Next steps for the Committee
  - Agenda generally set by Citizens' Advisory Board.

- Gary Thompson prompted a discussion along the lines that a budget in the range $400-500 M would not allow any forward mission to be undertaken. Pressure from the public would be helpful to get more mission-usable funds. FL stated that the stovepiping of H2/Canyon funds would end in FY 98, when all funds would likely be under EM40 (ER), as done at Fernald, and discretion to switch funds from one task to another.
- Tom Marshall (Chair) and Erin Rogers (Secretariat) will work on clarifying ASAP issues, noting now in Phase 2 (analysis), with Phase 3 (option selection) and Phase 4 (decision and implementation) still to come.
- Site-wide Environmental Impact Statement: CAB had shown little interest, but the Chair believed it to be important. Lou Johnson, EPA, argued that use of the CERCLA process, as envisaged, is functionally equivalent to NEPA processes (of which SWEIS is a part).
- The Chair observed that the CAB Alternative Site Uses Committee had recently been dissolved by CAB. Its functions now fell to this committee.

□ Vision/RFCA: Site Wide Issues Committee needs to have formulated

- 3/26 hearing on Fissile Material Disposition was mentioned. The document is large and not generally distributed to stakeholders. There is some pressure to postpone therefore.

- Next meeting: VOSM/RFCA, SWEIS